

NEW SHOREHAM SEWER AND WATER COMMISSION

JOINT MONTHLY MEETING

Monday • July 20, 2015 • 4 p.m.

Town Hall, Old Town Road, Block Island

PRESENT were SEWER Commission members: P. McNerney (Chair), Brad Marthens, Martha Ball, Tom Doyle, Steve Draper (Alternate), Terri Chmiel (Alternate)

PRESENT were WATER Commission members: Brad Marthens (Chair), Tom Doyle (Vice Chair), P. McNerney, Martha Ball, Steve Draper (Alternate), Terri Chmiel (Alternate)

ABSENT were members: Wayne Battey

ALSO PRESENT were: Sewer Superintendent Chris Blane, Water Superintendent John Breunig, Town Manager Nancy Dodge, Finance Director Amy Land, Legal Counsel David Petrarca, Administrative Assistant Mona Helterline, Lars Trodson (BI Times)

With a quorum present the meeting was called to order at 4:00 p.m. by P. McNerney.

JOINT WATER and SEWER DISTRICT

1. Discussion and potential action regarding the minutes of June 15, 2015 Annual Financial Meetings and the June 15, 2015 Joint Monthly

Meeting

The Commission reviewed the minutes of meetings held on June 15, 2015 (Water Financial, Sewer Financial, and Regular Monthly Meeting). T. Chmiel requested that the Regular Monthly Meeting minutes reflect the fact that the contractor for the inspection and temporary manhole repairs had already been chosen and that the job did not go out to bid. Discussion continued, some members on the Commission argued that the job was not required to go out to bid (under \$10,000) and so that fact did not need to be reflected in the minutes.

MOTION by T. Chmiel to amend the minutes of the joint monthly meeting held on June 15, 2015 (4:20 pm), to reflect that Jon Wilk had been chosen as the contractor and that the services did not go out to bid because the cost was below the threshold required to necessitate putting the job out to bid. Seconded by P. McNerney.

Aye: 5 (McNerney, Marthens, Doyle, Ball, Draper) Nay: 0. Abstain: 0.

MOTION by P. McNerney to approve the minutes of the June 15, 2015 Annual Financial Meetings and the June 15, 2015 Joint Monthly Meeting as amended. Seconded by T. Doyle.

Aye: 5 (McNerney, Marthens, Doyle, Ball, Draper) Nay: 0. Abstain: 0.

2. Discussion and potential action regarding resignation of Administrative Assistant

Clerk Mona Helterline submitted her resignation. In her letter to the

Commission she explained that she had taken the position with the Town as Deputy Finance Director. She further expressed her willingness to help in the transition to a new clerk. The Commission thanked her for “exemplary work in a relatively short period of time” and asked that it be recorded in the minutes.

3. Discussion and potential action regarding job description and job posting for Administrative Assistant

P. McNerney recused himself from the discussion. The Commission reviewed the job description and posting that were created in 2013 in preparation for hiring the current clerk.

M. Helterline had suggested one minor change to the job description, removal of the bullet point which stated “Respond to requests for parking permits, provide information requested, and complete sales for permits, maintain records of sales for Commission or Finance review.” This was no longer a task completed by the clerk as the parking lot was now leased out. There were no further changes to the job description discussed.

The job posting was reviewed. A few suggested changes noted by the clerk were:

- Remove “Must have knowledge of QuickBooks”.**
- Change hours from “up to 30” to “up to 32”.**
- Change “Applications are due back...” to “Applications should be returned...”.**
- Indicate that position will remain open until filled.**

Discussion continued regarding:

- The advertised hourly pay rate range.
- The advertised working hours (currently “up to 32”).
- Possibility of negotiated family benefits.
- Difference in cost between individual and family benefits is approximately \$9,000.

In addition to incorporating the changes to job posting as suggested by the clerk, the Commission agreed on additional changes as follows:

- Change title to “Administrative Assistant to the New Shoreham Sewer and Water Commissions”.
- Change “Single benefits” to “Benefits negotiable”.

MOTION by B. Marthens to approve the clerk job description and job posting with changes as discussed. Seconded by T. Doyle

Aye: 5 (Marthens, Doyle, Ball, Draper, Chmiel) Nay: 0. Abstain: 0.

Recused: P. McNerney

4. Acceptance of resignation from Commissioner Wayne Battey

A resignation letter was presented from Commissioner Wayne Battey dated July 8, 2015. W. Battey expressed his regret and thanked the Commission. P. McNerney stated he had spoken to Battey, who again expressed his regret but needed to tend to some personal issues.

5. Announce vacancy on New Shoreham Sewer and Water Commissions

With W. Battey's resignation, there would now be a vacancy on the Sewer and Water Commissions. The clerk indicated that she would inform the Town Council of the resignation and vacancy.

6. Discussion and potential action regarding the scheduling and procedure of job performance evaluations for Superintendents

MOTION by P. McNerney to delegate each Superintendent's annual review called for in their respective contracts to be delegated to the individual Chairperson of each's respective Commission for the length of each Superintendent's current contract. If that Chairperson or Superintendent wishes for further review before the entire Commission, he or she may do so through a properly noticed meeting that would be held in executive session, unless requested to be in open session by the Superintendent. Seconded by B. Marthens.

Discussion continued:

T. Chmiel asked

- Does this mean the Superintendent's contracts would be changed?**
- How would the rest of the Commissioners be involved in the performance evaluation process?**

B. Marthens responded:

- Historically the evaluations had been performed by the Chairs, they worked closely with the Superintendents on a day-to-day basis, and had a working knowledge of the operations and details of the Superintendent's job.**
- It would be cumbersome to have the entire Commission review one person.**

- While it said in the contract that the Superintendent would be reviewed by the Commission, the intent was that the person who worked closest with the Superintendent would do the review.

In regards to the rest of the Commission viewing the performance evaluation, if the proposed motion carried and the Chair was to conduct the Superintendent's evaluation, the document would become a record in the Superintendent's personnel file and would fall under the confidentiality provisions surrounding personnel files. This means that it would not be automatically shared with the entire Commission unless the Superintendent or Chair brought it before them.

M. Ball expressed the following concerns:

- When did the Chairs become the sole authority of a 5 member board?
- It was bad policy to have the same member doing the review year after year. Consideration should be given to a sub-committee.

T. Chmiel stated that she did not disagree with Brad's opinion that an entire board performing the evaluation would be cumbersome, but that it would be important to sit down as a Commission and discuss. A job evaluation is an opportunity to learn the goals of the Superintendents and how the Commission can best support them in reaching these goals. If the Commission is aware of these goals going into budget season they can plan accordingly.

P. McNerney asked the Superintendent's opinion. Sewer Superintendent C. Blane stated that historically the evaluations had

been performed by the Chairs, reiterating that they had unique insight into the operations of the plants and how the Superintendents conducted their job. Blane stated that he would like to see the Chair continue to perform the evaluations with the option of bringing it to the Commission if there are any disagreements regarding the evaluation.

Water Superintendent John Breunig stated he was fine with any arrangement, whether that be the full Commission, a sub-committee, or just the Chair. He asked Nancy Dodge how she was evaluated, to which she answered that the Town Council conducted the evaluation.

Breunig suggested maybe N. Dodge be a part of the evaluation, noting that as the Director of Public works, he met with her on a weekly basis.

B. Marthens reiterated his thought that the review should not be done by the full Commission, but instead one or two people.

D. Petrarca offered an option he had seen in other town committees, for example with N. Dodge as the Town Administrator, the president of the Council would do the initial performance evaluation and then present that in executive session to the entire Council for approval, discussion, comments, etc.

T. Chmiel liked this idea, as it involved the Commission as a whole. She further stated that she felt the Commission was divided at times and that she would like to see the Commission come together to work on a common goal.

S. Draper stated that the Chair is elected to represent the entire Commission, this had worked in the past and that the Commission

should proceed with the way evaluations had always been done.

T. Doyle remarked that reviews are not only for negative feedback but also a chance to provide positive feedback to the Superintendent.

P. McNerney stated it was the first review he had done. Both positive and negative things come from a review, all of them were meant to move forward in a positive direction for the Superintendent, the Plant, and the Town. He re-read his original motion:

“I move to delegate each Superintendent’s annual review called for in their respective contracts to be delegated to the individual Chairperson of each’s respective Commission for the length of each Superintendent’s current contract. If that Chairperson or Superintendent wishes for further review before the entire Commission, he or she may do so through a properly noticed meeting that would be held in executive session, unless requested to be in open session by the Superintendent.”

A vote was taken.

Aye: 4 (McNerney, Marthens, Doyle, Draper), Nay: 1 (Ball), Abstain: 0.

M. Ball stated that she felt having one person perform the evaluation was very poor procedure.

T. Chmiel reiterated the fact that the Superintendent’s contracts read that the “Commission” will conduct the evaluation. She further pointed out items from the Superintendent’s contract (Section 7. -Performance Evaluation) that she felt were not being followed:

- The Commission shall review and evaluate the performance of the**

Superintendent at least once annually in advance of the adoption of the annual sewer budget.

- The Commission shall annually review and further define goals and performance objectives which they determine necessary for the proper operation of the plant and attainment of the Commission's policy objectives.**

She reiterated that the Superintendents did a really great job and she just wanted to be there to support them.

7. Employee Handbook Update

D. Petrarca reported that the team working on the handbook had made a "giant leap forward". There was a solid working draft somewhere in the vicinity of 17-18 pages. A meeting with the team was scheduled for July 23, 2015 where some of the legal wording would be refined and the team would review the document for any further changes. Soon after, a draft would be presented to the employees for discussion and comment and the hope was that there would be a draft to present to the Commission at the August meeting.

WATER DISTRICT

8. Discussion and potential action regarding Financials and Aging

A. Land reported that there were no financials as there were still adjustments being made to the Fiscal Year 2015 expenditures, so current financials would not accurately represent the position of the Commission, everything should be finalized by the September meeting and the Commission would be able to see an accurate picture of how Fiscal Year 2015 ended up. Reviewing the Water

Aging, there were no remaining tax sales, and there were three payment plans, two of which were in default (no payments made in months). D. Petrarca explained that the next time payment plans were arranged, they would be different, more explicit than the plans that were currently in place.

P. McNerney left the room at 4:50 pm, returned at 4:54 pm.

M. Ball left the room at 4:52 pm, returned at 4:57 pm.

9. Operations Report

Superintendent J. Breunig presented his monthly operations report for June 2015. Main points were:

- Decrease in production by 4.2% over last June.**
- Meter revenue increased by approximately \$3019.20 over last June.**
- New customers include the Spring House Inn and the Town of New Shoreham Boat Ramp at Smugglers (a water source being provided to boaters).**
- A commercial customer turning on their fire suppression system caused a large flow which in turn caused a water hammer. This water hammer caused the main meter to break and on Monday, July 5th the meter quit completely. The meter was replaced with one that could now handle double the flow.**
- BIWC's 2014 Consumer Confidence Report had been sent out to all customers.**

SEWER DISTRICT

10. Discussion and potential action regarding Ocean Ave Manhole Covers

P. McNerney updated the Commission regarding the Ocean Ave manhole covers. Upon inspection the condition of the manhole covers were worse than expected. Pictures were passed around which displayed improper methods (multiple wooden shingles and homemade splits) being used to level the manholes. Also revealed was dirt and sand filling the space between the manhole, and poor parging application. Jon Wilk repaired 5 manhole covers temporarily.

RIDOT was present for the inspection and temporary repair of one of the manholes and “said they had seen enough and got back on the boat”. D. Petrarca and engineer J. Geremia were working on a final demand letter, which the Commission is hoping will result in the DOT returning to properly repair all manholes. P. McNerney explained that to repair them properly would require the manholes to be lifted out, pavement cut around, rebuilt/leveled according to specs, concrete poured and then repaved. P. McNerney commended Jon Wilk on his work.

C. Blane made two points:

- Jon Wilk stressed on his bill that these were temporary repairs, in no way meant to be a permanent repair and that all of the manholes that he worked on needed to be properly repaired to DOT specs.**
- The dirt that Wilk did not collect was down in the sewer system.**
- Several of the manholes were 6“off center, this meant that the frame was not properly supported and the reduced size created a hazard to entry.**

D. Petrarca was waiting for an engineer’s report from J. Geremia

before moving forward.

11. Discussion and potential action regarding Sewer District Addition (Plat 6, Lots 58-62)

The Town Council met Tuesday, July 7 and approved the addition of Plat 6, Lots 58, 59, 60, 61, 62, to the New Shoreham Sewer District.

12. Tax Sale Update

There was one property remaining in the tax sale. The customer made a significant payment (\$5,000) on account, but could not be contacted to be informed that the partial payment did not halt the tax sale. The customer's remaining balance was just under \$8,000 and would need to be paid in full in order to stop the July 31st Tax Sale from moving forward.

13. Discussion and potential action regarding Financials and Aging

Regarding the Sewer Aging report, there were 5 customers on a payment plan, 4 of those customers were default on their plan. There was a possibility that if these payment plans remained in default they could be subject to a tax sale in the future.

14. Operations Report

Superintendent C. Blane presented the monthly operations report for June 2015, highlighted as follows:

- There was a decrease of 5% in the amount of effluent treated in June 2015 compared to June 2014.**
- C. Blane received his Class 3 Water Treatment and Class 2 Water Distribution license renewals, both valid until 2018.**
- 6/8/15- Steve McDonald began work.**
- 6/10/15- P. McNerney completed C. Blane's performance evaluation.**

M. Ball commented on the fact that the Sewer Superintendent's evaluation had already taken place despite the fact that the procedure was just voted on at the current meeting. M. Ball expressed her dissatisfaction with how she and T. Chmiel had been treated on the board, feeling they are often kept out of the loop regarding information concerning the Commission.

P. McNerney stated he was available at any time if there were any questions and that the only person he talked to outside of the meetings was D. Petrarca and occasionally B. Marthens.

T. Chmiel again expressed her feelings that this was a divided Commission and expressed her desire to work as a team. She recounted the April 13, 2015 meeting where she had expressed her concerns regarding the Superintendent's job evaluations.

M. Ball questioned why if the performance evaluation had already been completed, it wasn't mentioned at the June 15 monthly meeting.

T. Chmiel asked how she was supposed to provide feedback to the Superintendents. She did not feel that she was welcome at the Sewer Plant to give that feedback directly, and recounted an instance in the past where there was tension when she visited. The conversation ended abruptly and the Commission moved forward to the next agenda item.

ANNOUNCEMENTS AND OPEN FORUM.

15. Legal Counsel's Announcements.

- **Open Government Summit on July 31, 2015**

D. Petrarca announced the Open Government Summit would be held at Roger Williams University School of Law on July 31, 2015. This would be a free event which he recommended to all of his boards and commissions and would cover the Access to Public Records Act and the Open Meetings Act. The entire presentation was also available online.

16. Commissioners' Announcements

- **Sewer Commission Performance Citation**

P. McNerney announced that the Commission received from the Speaker of the House of Representatives, Nicholas A. Mattiello, a citation recognizing the receipt of the 2014 Regional Wastewater Treatment Plant Excellence Award from the EPA. ׀׀׀

P. McNerney also commented that he would like the Commission to remain upbeat and be proactive. He did not feel like it was a "Boy's Club" referring to a comment made by a Commissioner earlier. He would like the see the Commission keep a positive attitude.

17. Public Comment for items not on the agenda

There was none.

18. Adjournment

MOTION to adjourn at 5:37 p.m. by P. McNerney. Seconded by T.

Doyle.

Aye: 5 (McNerney, Marthens, Doyle, Ball, Draper) Nay: 0. Abstain: 0.

**Respectfully Submitted,
Mona Helterline**

ACCEPTED: 08/17/15

The New Shoreham Sewer and Water Districts are an equal opportunity provider and employer

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send you completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.